

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 112, line 4, delete "in a referendum".
- 2 Page 112, line 5, delete "or IC 6-3.5-9." and insert ".".
- 3 Page 112, line 22, delete "a referendum initiated under".
- 4 Page 115, between lines 19 and 20, begin a new paragraph and
- 5 insert:
- 6 "SECTION 127. IC 6-1.1-20-3.4, AS ADDED BY P.L.224-2007,
- 7 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JANUARY 1, 2009]: Sec. 3.4. (a) Notwithstanding any other provision
- 9 of this chapter, the executive of a political subdivision may initiate the
- 10 petition and remonstrance process under this chapter for the approval
- 11 or disapproval of a proposed controlled project of the political
- 12 subdivision that has been disapproved under IC 6-1.1-29.5 by the
- 13 county board of tax and capital projects review. **However, this section**
- 14 **does not apply to a capital project that meets the criteria in section**
- 15 **(a)(2) and (a)(3) of this chapter.**
- 16 (b) The executive of a political subdivision may initiate the petition
- 17 and remonstrance process under this chapter for a proposed controlled
- 18 project that has been disapproved by the county board of tax and
- 19 capital projects review by giving notice of the applicability of the
- 20 petition and remonstrance process as provided in section 3.2(1) of this
- 21 chapter not more than sixty (60) days after the county board of tax and
- 22 capital projects review disapproves the proposed controlled project.
- 23 (c) Section 3.2 of this chapter applies to a petition and remonstrance
- 24 process initiated under this section. However, a sufficient petition

requesting the application of a petition and remonstrance process is not required to be filed as set forth in section 3.1 of this chapter before the executive of a political subdivision may initiate the petition and remonstrance process as provided in this section.

(d) If the number of owners of real property within the political subdivision and registered voters residing within the political subdivision that sign a petition in favor of the proposed controlled project is greater than the number of owners of real property within the political subdivision and registered voters residing within the political subdivision that sign a remonstrance against the proposed controlled project, the political subdivision may undertake the proposed controlled project, notwithstanding the disapproval of the proposed controlled project by the county board of tax and capital projects review under IC 6-1.1-29.5."

Page 115, line 28, delete "and".

Page 115, line 29, delete "the political subdivision" and insert "**a school corporation**".

Page 115, line 31, delete "political subdivision's" and insert "**school corporation's**".

Page 115, line 33, delete "." and insert "; and

(3) consists of a project to acquire land or structures or erect, construct, reconstruct, improve, rehabilitate, remodel, repair, complete, extend, enlarge, or furnish structures for:

(A) sports, recreational, or fitness purposes, including gymnasiums, swimming pools, playing and athletic fields, or facilities for physical training; or

(B) any purpose that is not directly related to providing:

(i) classroom learning; or

(ii) laboratories directly supporting classroom learning;

unless the project is necessary to eliminate a threat to the health, safety, or welfare of students, as determined by the county board of tax and capital projects review."

Page 134, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 141. IC 6-1.1-29.5-14, AS ADDED BY P.L.224-2007, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009]: Sec. 14. If the review board disapproves a capital project under section 13 of this chapter **(other than a capital project that meets the criteria in IC 6-1.1-20-3.5(a)(2) and IC 6-1.1-20-3.5(a)(3))**, the political subdivision that proposed the project may take any action under section 10(a)(2) of this chapter with regard to the capital project if:

(1) not more than sixty (60) days after the review board's disapproval, the political subdivision initiates the petition and remonstrance process under IC 6-1.1-20-3.4; and

(2) the capital project is approved in the petition and

- 1 remonstrance process under IC 6-1.1-20."
- 2 Page 208, delete lines 19 through 42.
- 3 Delete pages 209 through 211.
- 4 Page 212, delete lines 1 through 11.
- 5 Page 244, delete lines 9 through 10.
- 6 Page 245, delete lines 31 through 32.
- 7 Renumber all SECTIONS consecutively.
(Reference is to HB 1001 as printed January 17, 2008.)

Representative Niezgodski